

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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The Minutes

December 27, 2004

- C043104 THE PEOPLE v. JOHNSON (Not for Publication)**
The judgment is affirmed.
HULL, J.
I Concur: Raye, Acting P.J.
I concur except as to Part III.A. of the Discussion in which I concur in the result.
Robie, J.
- C043224 THE PEOPLE v. SILVA (Not for Publication)**
The judgment is affirmed.
BUTZ, J.
We Concur: Blease, Acting P.J.
Davis, J.
- C044440 THE PEOPLE v. ALLEYNE (Not for Publication)**
The judgment is affirmed.
DAVIS, Acting P.J.
We Concur: Robie, J.
Butz, J.
- C044689 THE PEOPLE v. HALL (Not for Publication)**
The judgment is affirmed. The trial court is directed to correct the abstract of judgment... and to forward the corrected abstract to the Department of Corrections.
HULL, J.
We Concur: Nicholson, Acting P.J.
Morrison, J.
- C047275 THE PEOPLE v. LEE (Not for Publication)**
The judgment (order denying defendant's motion to suppress) is affirmed.
BUTZ, J.
We Concur: Sims, Acting P.J.
Hull, J.

December 28, 2004

- C043713 THE PEOPLE v. BAKER, JR. (Not for Publication)**
The judgment is modified... In all other respects, the judgment is affirmed.
DAVIS, J.
We Concur: Blease, Acting P.J.
Butz, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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The Minutes

December 28, 2004, continued

C044409	THE PEOPLE v. LEE The judgment is affirmed. DAVIS, J. We Concur: Blease, Acting P.J. Butz, J.	(Not for Publication)
C044744	THE PEOPLE v. RAMIREZ The judgment is affirmed. HULL, J. We Concur: Davis, Acting P.J. Robie, J.	(Not for Publication)
C044804	THE PEOPLE v. RIDER The judgment is affirmed. HULL, J. We Concur: Scotland, P.J. Butz, J.	(Not for Publication)
C045031 C045561	THE PEOPLE v. GALE THE PEOPLE v. GALE The judgment is affirmed. DAVIS, J. We Concur: Sims, Acting P.J. Raye, J.	(Not for Publication)
C046063	THE PEOPLE v. HILL The judgment is affirmed. BUTZ, J. We Concur: Blease, Acting P.J. Davis, J.	(Not for Publication)
C044254	THOMPSON v. COPPER COVE UNIT 8-A OWNERS' ASSOCIATION The judgment is affirmed. DAVIS, J. We Concur: Scotland, P.J. Blease, J.	(Not for Publication)

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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The Minutes

December 28, 2004, continued

C044681 WELLS FARGO BANK, N.A. v. ZINNEL (CERTIFIED FOR PUBLICATION)
The order awarding Wells its costs and legal fees is reversed. In all other respects, the orders of the trial court are affirmed. Appellant is awarded costs of appeal. **(CERTIFIED FOR PUBLICATION.)**

DAVIS, J.

We Concur: Blease, Acting P.J.
 Robie, J.

C046091 BRADLEY B. et al. v. CASEY J.
C046091 CASEY J. v. MARTINA S. and BRADLEY B. et al.
C046176 JENNIFER B. et al. v. CASEY J. and MARTINA S.
(Not for Publication)

The orders are affirmed. Casey shall recover his costs on appeal. (Cal. Rules of Court, rule 27(a).)

ROBIE, J.

We Concur: Sims, Acting P.J.
 Davis, J

C046581 In re J.M.; BUTTE COUNTY CHILDREN'S SERVICES DIVISION v. PEGGY T.
(Not for Publication)

The judgment is affirmed.

DAVIS, J.

We Concur: Blease, Acting P.J.
 Butz, J.

C045530 THE PEOPLE v. MITCHELL
BY THE COURT:

Appellant's petition for rehearing is denied.

SCOTLAND, P.J.

December 29, 2004

C044126 THE PEOPLE v. ROBINSON (Not for Publication)

The judgment is affirmed.

DAVIS, J.

We Concur: Blease, Acting P.J.
 Butz, J.

C044132 THE PEOPLE v. TORRES (Not for Publication)

The judgment is affirmed.

BLEASE, Acting P.J.

We Concur: Nicholson, J.
 Hull, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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The Minutes

December 29, 2004, continued

**C045353 ARNOLD v. THE CALIFORNIA EXPOSITION AND STATE FAIR et al. and
CAPITOL RACING, LLC (CERTIFIED FOR PUBLICATION)**

The judgment and the order denying Arnold's request for attorney fees under Code of Civil Procedure section 1021.5 are affirmed. The appeal from the order denying reconsideration is dismissed. **(CERTIFIED FOR PUBLICATION.)**

DAVIS, J.

We Concur: Blease, Acting P.J.
 Butz, J.

**C044290 THE PEOPLE v. STAMPER
BY THE COURT:**

Appellant's petition for rehearing is denied.
BLEASE, Acting P.J.

**C045458 THE PEOPLE v. MOORE
BY THE COURT:**

Appellant's petition for rehearing is denied.
SCOTLAND, P.J.

December 30, 2004

C045572 THE PEOPLE v. CHRISTOPHER (Not for Publication)

The judgment is affirmed.
SIMS, Acting P.J.

We Concur: Nicholson, J.
 Robie, J.

C046258 THE PEOPLE v. BLANCAS (Not for Publication)

The judgment is affirmed.
NICHOLSON, J.

I Concur: Raye, J.

I disagree with the conclusion that the act of concealing a small amount of drugs under the gearshift cover demonstrates criminal sophistication. However, I agree that the judgment must be affirmed because the other circumstances support the trial court's exercise of discretion to deny probation.

Scotland, P.J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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The Minutes

December 30, 2004, continued

- C045707 In re HAO Y., a Minor (Not for Publication)**
Let a writ of habeas corpus issue, commanding the Superior Court of Butte County to vacate the jurisdictional order and the order denying the motion to dismiss and to enter an order granting the motion to dismiss. (Welf, & Inst. Code, § 701.1.)
MORRISON, J.
We Concur: Sims, Acting P.J.
 Hull, J.
- C046968 In re JOSEPH S. et al.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES v. REBECCA S. et al. (Not for Publication)**
The orders of the juvenile court are affirmed.
BUTZ, J.
We Concur: Blease, Acting P.J.
 Davis, J.

December 31, 2004

There were no minutes for this date.